

EDUCATIONAL EXAMINERS BOARD[282]

Notice of Intended Action

**Proposing rule making related to student loan default
and providing an opportunity for public comment**

The Educational Examiners Board hereby proposes to rescind Chapter 9, “Student Loan Default/Noncompliance with Agreement for Payment of Obligation,” and to amend Chapter 11, “Complaints, Investigations, Contested Case Hearings,” and Chapter 25, “Code of Professional Conduct and Ethics,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 272.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 272.2 and 2019 Iowa Acts, Senate File 304.

Purpose and Summary

The proposed amendments are intended to implement 2019 Iowa Acts, Senate File 304, which eliminates the suspension or revocation of a license issued to a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or public or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 282—Chapter 6.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on July 12, 2019. Comments should be directed to:

Kimberly Cunningham
Board of Educational Examiners
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319-0147
Fax: 515.281.7669
Email: kim.cunningham@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

July 10, 2019
1 p.m.

Room 3 Southwest
Grimes State Office Building
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Rescind and reserve **282—Chapter 9**.

ITEM 2. Amend subparagraph **11.4(1)“e”(1)** as follows:

(1) The executive director receives information that a practitioner:

1. to 7. No change.

8. Has failed to comply with a board order as prohibited by 282—paragraph ~~25.3(7)“d”~~ 25.3(7)“c”; and

ITEM 3. Amend subrule 25.3(7) as follows:

25.3(7) Standard VII—compliance with state law governing obligations to state or local governments, ~~student loan obligations~~, child support obligations, and board orders. Violation of this standard includes:

a. Failing to comply with 282—Chapter 8 concerning payment of debts to state or local governments.

~~*b.* Failing to comply with 282—Chapter 9 concerning repayment of student loans.~~

~~*c.*~~ *b.* Failing to comply with 282—Chapter 10 concerning child support obligations.

~~*c.*~~ *d.* Failing to comply with a board order.